



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/877,815	06/08/2001	Eric Harold Henrikson	42430-10447	1190
47377	7590	03/11/2005	EXAMINER } DAO, MINH D	
JENNER & BLOCK LLP ONE IBM PLAZA CHICAGO, IL 60611			ART UNIT 2682	PAPER NUMBER

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

---

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 09/877,815  
Filing Date: June 08, 2001  
Appellant(s): HENRIKSON ET AL.

---

Reginald J. Hill  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 12/30/2004.

**(1) *Real Party in Interest***

A statement identifying the real party in interest is contained in the brief.

**(2) *Related Appeals and Interferences***

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

**(3) *Status of Claims***

The statement of the status of the claims contained in the brief is correct.

**(4) *Status of Amendments After Final***

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) *Summary of Invention***

The summary of invention contained in the brief is correct.

**(6) *Issues***

The appellant's statement of the issues in the brief is correct.

**(7) *Grouping of Claims***

The rejection of claims 1-12 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

**(8) *Claims Appealed***

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(9) Prior Art of Record**

6,373,930

MCCONNELL

4-2002

**(10) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by McConnell et al. (US Patent 6,373,930). This rejection is set forth in a prior Office Action, mailed on 05/20/2004.

**(11) Response to Argument**

Regarding independent claims 1 and 8, Appellant argues that McConnell fails to disclose using an independent interactive session for replenishment of a prepaid account, while communications are maintained for a first communications sessions using the prepaid account. Examiner disagrees.

McConnell, (see col. 21, lines 29-41) by disclosing that it is possible that the Service Control Point (SCP) of figures 2 and 9 may determine that the account balance has dropped below a threshold level during the call, the SCP may then send a message to the Intelligent Peripheral (IP) instructing it to interject a message into the call or to **collect credit card payment for increase balance**; and in addition, Mc Connell, (see col. 21, lines 65-67 and col. 22, lines 1-6) by disclosing that the IP can send a message to the MSC directing the MSC to add the IP to the call **without disconnecting the called party**, the IP may then play an announcement to the subscriber and collect

Art Unit: 2682

additional prepayment and lastly the IP can direct the MSC to release the IP from the conference call **and allow the call to proceed**, has clearly read on the above limitations which Appellant relies on.

For the above reasons, it is believed that the rejections should be sustained.

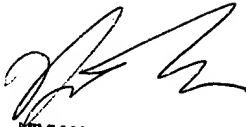
Application/Control Number: 09/877,815  
Art Unit: 2682

Page 5

Respectfully submitted,

Minh Dao *MD*  
Art Unit 2682  
March 3, 2005

Conferees  
Vivian Chin  
Supervisory Patent Examiner

  
VIVIAN CHIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

Marsha Banks-Harold  
Supervisory Patent Examiner

*Marsha D Banks-Harold*  
MARSHA D. BANKS-HAROLD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

Patent Docket Clerk  
Jenner & Block, LLC  
One IBM Plaza  
Chicago, IL 60611